



STATE OF NEW JERSEY
CIVIL SERVICE COMMISSION

Phil Murphy
Governor
Sheila Oliver
Lt. Governor

Deirdré L. Webster Cobb
Chairperson

**MINUTES OF REGULAR MEETING OF
THE CIVIL SERVICE COMMISSION
SEPTEMBER 20, 2018**

**Deirdré L. Webster Cobb, Chairperson
Dolores Gorczyca
Daniel W. O'Mullan**

September 20, 2018

A regular meeting of the Civil Service Commission was held on Thursday, September 20, 2018 at 10:00 a.m, in Trenton, New Jersey.

PRESENT: Deirdré L. Webster Cobb, Chairperson, Members Dolores Gorczyca and Daniel W. O'Mullan; Pamela Ullman, Deputy Attorney General; Christopher Myers, Director, Division of Appeals and Regulatory Affairs.

In accordance with L.1975, c.231, the Secretary to the Civil Service Commission opened the meeting with the following statement:

Notice of this meeting was filed with the Secretary of State and sent to the Trentonian, Trenton Times, Courier-Post and Star Ledger on November 17, 2017, and posted at the Civil Service Commission, 3 Station Plaza, Trenton, New Jersey.

All actions were by unanimous vote unless otherwise specified.

SECTION A – HEARING MATTERS

A-1 SETTLEMENTS

Luis Andujar
Cumberland County
Department of Corrections
Removal

Mikeyah Cheek
Ann Klein Forensic Center
Department of Human Services
Removal

Michelle Copeland
Woodbine Developmental Center
Department of Human Services
Resignation not in good standing

Mahogani Ennals
Woodbine Developmental Center
Department of Human Services
Removal

Mahogani Ennals
Woodbine Developmental Center
Department of Human Services
Removal

Desire Lee
New Jersey Veterans Memorial Home - Vineland
Department of Military and Veterans Affairs
Resignation not in good standing

Kia Lemmon
Greystone Park Psychiatric Hospital
Department of Health
Removal

Weyldon Lindsey
New Jersey Veterans Memorial Home - Vineland
Department of Military and Veterans Affairs
Release at the end of the working test period

Maxine Manning (consolidated)
Woodbine Developmental Center
Department of Human Services
Suspension and Removal

Jose Mendez-Ordonez
Camden County
Department of Corrections
Release at the end of the working test period

Shawn Popwell
City of Vineland
Department of Municipal Utilities
Removal

**RECOMMENDATION OF THE ADMINISTRATIVE LAW JUDGE IN
THE ABOVE CASES – SETTLEMENT**

ACTION: The Civil Service Commission acknowledged the settlements.

A-2 GAMALIEL CRUZ (on remand)

Gamaliel Cruz, Police Officer, City of Vineland, Police Department, removal effective March 22, 2012 on charges of incompetency, inefficiency or failure to perform duties, conduct unbecoming a public employee, inability to perform duties and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the removal.

ACTION: The Civil Service Commission affirmed the recommendation of the Administrative Law Judge.

A-3 MELISSA JOHNSON

Melissa Johnson, County Correction Officer, Passaic County Sheriff's Department, removal effective February 29, 2016 on charges of inability to perform duties and other sufficient cause.

Recommendation of the Administrative Law Judge – Modify the removal to a resignation in good standing.

ACTION: The Civil Service Commission affirmed the recommendation of the Administrative Law Judge.

SECTION B – MISCELLANEOUS MATTERS

B-1 C.E. – CSC DOCKET NO. 2017-677

C.E., represented by Stephen B. Hunter, Esq., appeals his rejection as a Police Officer by the City of Elizabeth and its request to remove his name from the eligible list for Police Officer (S9999R) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-2 J.L. – CSC DOCKET NO. 2016-750

J.L. appeals his rejection as a Sheriff's Officer candidate by the County of Passaic and its request to remove his name from the eligible list for Sheriff's Officer (S9999R) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-3 RICHARD BARBER, JR. – CSC DOCKET NO. 2018-688

Richard Barber, Jr. appeals his removal from the eligible list for Police Officer (S9999U), Willingboro, on the basis of falsification of his pre-employment application.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-4 SEAN DOHERTY, JR. – CSC DOCKET NO. 2019-440

Sean Doherty, Jr., appeals the removal of his name from the Fire Fighter (M1537T), Harrison eligible list due to his failure to appear for the Physical Performance Test.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-5 R.H. – CSC DOCKET NO. 2018-432

R.H. appeals the removal of his name from the eligible list for Police Officer (S9999U), City of Orange Township on the basis of an unsatisfactory background report.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-6 FREDERICK TAYLOR – CSC DOCKET NO. 2018-2856

Frederick Taylor appeals his removal from the eligible list for Social Worker 2, Corrections (S0593S), Statewide for failing to respond to the certification notice.

ACTION: The Civil Service Commission directed that this appeal be granted.

B-7 DENNIS VINCENT – CSC DOCKET NO. 2018-785

Dennis Vincent, represented by Michael L. Prigoff, Esq., appeals Jersey City's request for the removal of his name from the eligible list for Fire Fighter (M1544T), Jersey City, on the basis of residing outside the residency scope.

ACTION: The Civil Service Commission directed that this appeal be granted.

B-8 ANNETTE AGABITI – CSC DOCKET NO. 2018-1600

Annette Agabiti appeals the determination of the Division of Agency Services that the proper classification of her position with the Department of the Treasury is Technical Assistant 3. The appellant seeks a Technical Assistant 2, Treasury job classification.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-9 MATHEW LOYER – CSC DOCKET NO. 2019-333

Mathew Loyer appeals the decision of the Division of Agency Services which found that his position with the Department of the Treasury is properly classified as Senior Field Representative, Local Property Tax. The appellant seeks a Principal Field Representative, Local Property Tax job classification.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-10 BRIAN RUTAN – CSC DOCKET NO. 2018-1669

Brian Rutan appeals the determination of the Division of Agency Services that he did not meet the requirements for the open-competitive examination for Institutional Trade Instructor 1, Cooking (S0636V), Northern State Prison.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-11 JAMES CAPONI – CSC DOCKET NO. 2019-544

James Caponi appeals his score for the oral portion of the examination for second-level Fire Captain (PM1020V), Belleville.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-12 MICHAEL MCGREEVY – CSC DOCKET NO. 2019-501

Michael McGreevy, represented by George McGill, Esq., appeals his score for the oral portion of the examination for second-level Fire Captain (PM1020V), Belleville.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-13 WILLIAM PINHO – CSC DOCKET NO. 2019-569

William Pinho appeals his oral score on the promotional examination for Deputy Police Chief (PM0508W), Elizabeth.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-14 PHILLIP WHITE – CSC DOCKET NO. 2019-555

Phillip White appeals his score for the oral portion of the examination for second-level Fire Captain (PM1052V), Pennsauken.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-15 CIVIL SERVICE COMMISSION MINUTES

Submitted for adoption are the Civil Service Commission minutes of its meeting of September 5, 2018.

ACTION: The Civil Service Commission adopted the minutes of its meeting on September 5, 2018.

B-16 YEHUDA BEER – CSC DOCKET NO. 2018-2873

The Concerned Citizens for Fire Protection, represented by Larry S. Loigman, Esq., appeals the March 4, 2018 determination which concluded that all positions in Lakewood Fire District No. 1 were properly recorded.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-17 DEPUTY FIRE DISTRICT ADMINISTRATOR – CSC DOCKET NO. 2019-187

The Division of Agency Services (Agency Services) requests the establishment of the unclassified title of Deputy Fire District Administrator for use in local fire districts. Agency Services also requests the inactivation of the unclassified title of Secretary to Executive Director.

ACTION: The Civil Service Commission directed that these requests be granted.

B-18 SOCIAL WORK SUPERVISOR (C0845U) – CSC DOCKET NO. 2018-2630

Hunterdon County requests permission not to make an appointment from the August 28, 2017 certification for Social Work Supervisor (C0845U).

ACTION: The Civil Service Commission granted the appointment waiver and assessed selection costs in the amount of \$2,048.

B-19 M.R. – CSC DOCKET NOS. 2017-3726 AND 2018-1832

M.R., a Senior Quality Control Reviewer with the Department of Human Services (DHS), appeals the determinations of the Office of Legal Affairs, DHS, that the appellant did not present sufficient evidence to support a finding that she had been subjected to violations of the New Jersey State Policy Prohibiting Discrimination in the Workplace.

ACTION: The Civil Service Commission directed that these appeals be denied.

B-20 ADAM GRIESEMER – CSC DOCKET NO. 2019-647

The Division of Agency Services (Agency Services), on behalf of Beachwood, requests that Adam Griesemer be assigned a retroactive appointment date to the Police Sergeant title. Agency Services also seeks Griesemer's eligibility for the promotional examination for Police Lieutenant (PM1931W), Beachwood.

ACTION: The Civil Service Commission directed that this request be granted.

B-21 GARY BODE AND FRED O'CALLAGHAN - CSC DOCKET NOS. 2018-1671 AND 2018-1708

The appeals of Gary Bode and Fred O'Callaghan, Correction Lieutenants with East Jersey State Prison, Department of Corrections, of their removals effective December 7, 2017 and December 15, 2017, respectively, on charges, were heard by Administrative Law Judge Susana E. Guerrero (ALJ), who rendered her initial decision on August 1, 2018. At its meeting on September 5, 2018, the Civil Service Commission (Commission) did not adopt the ALJ's recommendation to modify the removals to 180 calendar day suspensions. Rather, the Commission modified the removals to 60 working day suspensions. The proposed decision is now submitted for the Commission's review.

ACTION: The Civil Service Commission adopted the decision.

B-22 SEAN TONNER - CSC DOCKET NO. 2017-646

The appeal of Sean Tonner, a former Senior Investigator, Parole and Secured Facilities, with the Edna Mahan Correctional Facility, Department of Corrections (DOC), of his 10 working day suspension, on charges, was heard by Administrative Law Judge Carl V. Buck, III (ALJ), who rendered his initial decision on August 2, 2018. At its meeting on September 5, 2018, the Civil Service Commission (Commission) did not adopt the ALJ's recommendation to uphold the 10 working day suspension. Rather, the Commission modified the penalty to a five working day suspension. The proposed final decision is now submitted for the Commission's review.

B-23 MARCELLO ERRIGO AND JAMES WESTON - CSC DOCKET NOS. 2018-2495 AND 2018-2512

Marcello Errigo and James Weston, represented by Lauren Sandy, Esq., appeal their bypass/removal from the eligible list for Sheriff's Officer Sergeant (PC1572S), Passaic County, on the basis that they possessed an unsatisfactory employment record.

ACTION: The Civil Service Commission directed that these matters be referred to the Office of Administrative Law for a hearing.

PUBLIC PORTION

No comment.

There being no further business before the Civil Service Commission, the meeting was adjourned to convene on Wednesday, October 3, 2018, at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.

**Deirdré L. Webster Cobb
Chairperson
Civil Service Commission**